IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

C.W.P. No. 2220 of 2006
Date of Decision: Nov. 23,2006

Sarup Singh and others ..... Petitioners

Versus

The Superintending Canal Officer, Patiala and others ..... Respondents

Coram: Hon'ble Mr. Justice Ashutosh Mohunta
Hon'ble Mrs. Justice Nirmal Yadav

Present: Mr. K.S.Sidhu, Advocate
for the petitioners.

Mr. C.M.Munjal, Sr. Addl. A.G. Punjab,
for respondent Nos. 1 and 2.

Mr. Vijay Sharma, Advocate
for respondent Nos. 3 to 7.

...

ASHUTOSH MOHUNTA, J. (Oral)

The petitioners are aggrieved by the orders-Annexures P2 and P7 passed by the Divisional Canal Officer and the Superintending Canal Officer by which the Chalari Mogha Burji 9000/R Gharham Rajwaha has been shifted to Burji 8000/R Gharham Rajwaha of village Sarala Khurd, Tehsil Rajpura, District Patiala.

Counsel for the petitioners contends that as per shifting of the outlet from RD-9000/R to RD-8000/R the land of the petitioners will not be able to get proper irrigation.

Mr. Munjal, learned Additional Advocate General, Punjab, states that the State shall have no objection if the lands of the petitioners are also included to be irrigated from RD-8000/R. Learned counsel further states that the State would have face no difficulty in including the lands of the petitioners also for irrigation from RD-8000/R.

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Mr. Sidhu, counsel for the petitioners, states that the petitioners would be satisfied if their lands are also irrigated from the proposed outlet.

In view of the statement made by Mr. Munjal, we dispose of this writ petition with a direction that the lands of the petitioners shall also be included to be irrigated from RD-8000/R. The turn of the water of the petitioners be fixed accordingly.

(ASHUTOSH MOHUNTA)
JUDGE

23.11.2006 **(NIRMAL YADAV)**
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